

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

In re BP plc Securities Litigation

No. 4:10-md-02185

Honorable Keith P. Ellison

**NOTICE RELATED TO FILING
THE SECOND CONSOLIDATED AMENDED
CLASS ACTION COMPLAINT UNDER SEAL**

In accordance with the Court's Memoranda and Orders dated February 13, 2012 and February 23, 2012, together with the Court's Confidentiality Order of January 19, 2011, Thomas P. DiNapoli, Comptroller of the State of New York, as Administrative Head of the New York State and Local Retirement Systems and sole Trustee of the New York State Common Retirement Fund, and the Ohio Public Employees Retirement System and its statutory litigation counsel, the Ohio Attorney General Mike DeWine (collectively "New York and Ohio"), along with Sub-Class Lead Plaintiffs Robert H. Ludlow, Peter D. Lichtman, Leslie J. Nakagiri and Paul Huyck (along with New York and Ohio, "Lead Plaintiffs"), file this Notice Related to Filing The Second Consolidated Amended Class Action Complaint, and in support thereof, respectfully set forth the following:

1. Lead Plaintiffs have filed under seal, as Dkt #339, Lead Plaintiffs' Second Consolidated Amended Class Action Complaint (the "Consolidated Complaint"). In accordance with the Court's Memoranda and Orders dated February 13, 2012 and February 23, 2012, the Consolidated Complaint contains amended allegations that relate to documents and information produced in *In re: Oil Spill by the Oil Rig "Deepwater Horizon" In the Gulf of Mexico, on April*

20, 2010 (MDL No. 2179) that Defendants have previously deemed or may deem confidential pursuant to the Court's Confidentiality Order of January 19, 2011.

2. In an effort to determine what documents or testimony Defendants maintain is confidential, on March 30, 2012, Lead Plaintiffs' counsel identified portions of documents and deposition testimony produced in MDL No. 2179 that Lead Plaintiffs reference in the Consolidated Complaint. Defendants responded that they did not have sufficient time to meaningfully review the referenced documents with their clients and counsel in MDL 2179 prior to the Consolidated Complaint's public disclosure.

3. Accordingly, Lead Plaintiffs respectfully file the Consolidated Complaint under seal so as to afford Defendants a reasonable amount of time to identify testimony or other references in the Consolidated Complaint that Defendants contend must be redacted and sealed. After Defendants identify such testimony or references, Lead Plaintiffs will file a redacted version of the Consolidated Complaint.

4. Defendants have reviewed this Notice in advance of filing and state that they do not oppose the procedure set forth herein.

DATED: April 2, 2012

Respectfully submitted,

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